Case 13-21173 Doc 4

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B22A (Official Form 22A) (Chapter 7) (12/10)

In re Latrice Harris	
Debtor(s)	According to the information required to be entered on this statement
Case Number:	(check one box as directed in Part I, III, or VI of this statement):
(If known)	☐ The presumption arises.
	■ The presumption does not arise.
	☐ The presumption is temporarily inapplicable.

CHAPTER 7 STATEMENT OF CURRENT MONTHLY INCOME AND MEANS-TEST CALCULATION

In addition to Schedules I and J, this statement must be completed by every individual chapter 7 debtor. If none of the exclusions in Part I applies, joint debtors may complete one statement only. If any of the exclusions in Part I applies, joint debtors should complete separate statements if they believe this is required by § 707(b)(2)(C).

	Part I. MILITARY AND NON-CONSUMER DEBTORS							
1A	Disabled Veterans. If you are a disabled veteran described in the Declaration in this Part IA, (1) check the box at the beginning of the Declaration, (2) check the box for "The presumption does not arise" at the top of this statement, and (3) complete the verification in Part VIII. Do not complete any of the remaining parts of this statement.							
	□ Declaration of Disabled Veteran. By checking this box, I declare under penalty of perjury that I am a disabled veteran (as defined in 38 U.S.C. § 3741(1)) whose indebtedness occurred primarily during a period in which I was on active duty (as defined in 10 U.S.C. § 101(d)(1)) or while I was performing a homeland defense activity (as defined in 32 U.S.C. §901(1)).							
1B	Non-consumer Debtors. If your debts are not primarily consumer debts, check the box below and complete the verification in Part VIII. Do not complete any of the remaining parts of this statement.							
	☐ Declaration of non-consumer debts. By checking this box, I declare that my debts are not primarily consumer debts.							
	Reservists and National Guard Members; active duty or homeland defense activity. Members of a reserve component of the Armed Forces and members of the National Guard who were called to active duty (as defined in 10 U.S.C. § 101(d)(1)) after September 11, 2001, for a period of at least 90 days, or who have performed homeland defense activity (as defined in 32 U.S.C. § 901(1)) for a period of at least 90 days, are excluded from all forms of means testing during the time of active duty or homeland detectivity and for 540 days thereafter (the "exclusion period"). If you qualify for this temporary exclusion, (1) check the appropriate be and complete any required information in the Declaration of Reservists and National Guard Members below, (2) check the box for presumption is temporarily inapplicable" at the top of this statement, and (3) complete the verification in Part VIII. During your exclusion period you are not required to complete the balance of this form, but you must complete the form no later than 14 days after the date on which your exclusion period ends, unless the time for filing a motion raising the means test presump expires in your case before your exclusion period ends.							
1C	□ Declaration of Reservists and National Guard Members. By checking this box and making the appropriate entries below, I declare that I am eligible for a temporary exclusion from means testing because, as a member of a reserve component of the Armed Forces or the National Guard							
	a. I was called to active duty after September 11, 2001, for a period of at least 90 days and I remain on active duty /or/ I was released from active duty on, which is less than 540 days before this bankruptcy case was filed;							
	OR							
	 b. I am performing homeland defense activity for a period of at least 90 days /or/ I performed homeland defense activity for a period of at least 90 days, terminating on, which is less than 540 days before this bankruptcy case was filed. 							

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	Part II. CALCULATION OF	MON	NTHLY INC	CON	ME FOR § 707(b)(7) E	XCLUSION	
	Marital/filing status. Check the box that appl	ies and	complete the b	alan	ce of this part of this st	ateme	ent as directed.	
	a. Unmarried. Complete only Column A ("Debtor's Income") for Lines 3-11.							
2	 b. ☐ Married, not filing jointly, with declaration of separate households. By checking this box, debtor declares under penalty of perjury: "My spouse and I are legally separated under applicable non-bankruptcy law or my spouse and I are living apart other for the purpose of evading the requirements of § 707(b)(2)(A) of the Bankruptcy Code." Complete only column A ("Debtor's Income") for Lines 3-11. c. ☐ Married, not filing jointly, without the declaration of separate households set out in Line 2.b above. Complete both Column ("Debtor's Income") and Column B ("Spouse's Income") for Lines 3-11. 						ng apart other than	
							both Column A	
	d.					(''Spe	ouse's Income") for Lines 3-11.
	All figures must reflect average monthly incoms ix calendar months prior to filing the bankrup						Column A	Column B
	before the filing. If the amount of monthly income						Debtor's	Spouse's
	divide the six-month total by six, and enter the						Income	Income
3	Gross wages, salary, tips, bonuses, overtime	, comn	nissions.			\$	1,300.00	\$
	Income from the operation of a business, pro							
	and enter the difference in the appropriate colu							
	business, profession or farm, enter aggregate mot enter a number less than zero. Do not incl							
4	on Line b as a deduction in Part V.		y pure or erro		oss enpenses entered	_		
			Debtor		Spouse			
	a. Gross receipts	\$		00				
	b. Ordinary and necessary business expensc. Business income		btract Line b fr	00		\$	0.00	¢
		•				Įψ	0.00	φ
	Rents and other real property income. Subtin the appropriate column(s) of Line 5. Do not							
	any part of the operating expenses entered of					_		
5			Debtor		Spouse]		
-	a. Gross receipts	\$.00		!		
	b. Ordinary and necessary operating expenses	\$	"	.00	\$			
	c. Rent and other real property income	Sı	ıbtract Line b fı	om 1	Line a	\$	0.00	\$
6	Interest, dividends, and royalties.					\$	0.00	\$
7	Pension and retirement income.					\$	0.00	\$
	Any amounts paid by another person or enti	ity, on	a regular basi	s, fo	r the household			
8	expenses of the debtor or the debtor's depen purpose. Do not include alimony or separate m							
	spouse if Column B is completed. Each regula							
	if a payment is listed in Column A, do not repo					\$	0.00	\$
	Unemployment compensation. Enter the amo							
	However, if you contend that unemployment co benefit under the Social Security Act, do not lis							
9	or B, but instead state the amount in the space			com	Sensation in Column 71			
-	Unemployment compensation claimed to							
	be a benefit under the Social Security	1		a	ф			
	Act De	btor \$	0.00	Spo	ouse \$	\$	0.00	\$
	Income from all other sources. Specify source							
	sources on a separate page. Do not include alimony or separate maintenance payments paid by your spouse if Column B is completed, but include all other payments of alimony or							
separate maintenance. Do not include any benefits received under the Social Security Act or								
10	payments received as a victim of a war crime, of	crime a	gainst humanit	y, or	as a victim of			
international or domestic terrorism. Debtor Spouse								
	a. food stamps	\$	1,134	.00		ł		
	b.	\$.,		\$]]		
	Total and enter on Line 10					\$	1,134.00	\$

11	Subtotal of Current Monthly Income for § 707(b)(7). Add Lines 3 thru 10 in Column A, and, if Column B is completed, add Lines 3 through 10 in Column B. Enter the total(s).	\$ 2,4	34.00 \$	
12	Total Current Monthly Income for § 707(b)(7). If Column B has been completed, add Line 11, Column A to Line 11, Column B, and enter the total. If Column B has not been completed, enter the amount from Line 11, Column A.	\$		2,434.00
	Part III. APPLICATION OF § 707(b)(7) EXCLUSION	N		
13	Annualized Current Monthly Income for § 707(b)(7). Multiply the amount from Line 12 by th and enter the result.	e number 12	\$	29,208.00
14	Applicable median family income. Enter the median family income for the applicable state and (This information is available by family size at www.usdoj.gov/ust/ or from the clerk of the bankr			
	a. Enter debtor's state of residence: b. Enter debtor's household size:	7	\$	86,219.00
15	 Application of Section 707(b)(7). Check the applicable box and proceed as directed. ■ The amount on Line 13 is less than or equal to the amount on Line 14. Check the box for the top of page 1 of this statement, and complete Part VIII; do not complete Parts IV, V, VI or □ The amount on Line 13 is more than the amount on Line 14. Complete the remaining parts 	VII.	•	not arise" at

	☐ The amount on Line 13 is more than the amount on Line 14. Complete the remaining parts of this statement.					
	Complete Parts	IV, V, VI, and VII o	of this sta	tement only if required	. (See Line 15.)	
	Part IV. CALCULA	ATION OF CURE	RENT N	MONTHLY INCOM	ME FOR § 707(b)(2	2)
16	Enter the amount from Line 12.					\$
Marital adjustment. If you checked the box at Line 2.c, enter on Line 17 the total of any income listed in Line 11, Column B that was NOT paid on a regular basis for the household expenses of the debtor or the debtor's dependents. Specify in the lines below the basis for excluding the Column B income (such as payment of the spouse's tax liability or the spouse's support of persons other than the debtor or the debtor's dependents) and the amount of income devoted to each purpose. If necessary, list additional adjustments on a separate page. If you did not check box at Line 2.c, enter zero.						
	a.			\$		
	b.			\$		
	c.			\$		
	d.			\$		\$
	Total and enter on Line 17					
18	Current monthly income for § 70	7(b)(2). Subtract Line	e 17 from	Line 16 and enter the re	sult.	\$
	Part V. C.	ALCULATION C)F DED	OUCTIONS FROM	INCOME	
	Subpart A: Dec	luctions under Star	ndards o	f the Internal Revenu	e Service (IRS)	
National Standards: food, clothing and other items. Enter in Line 19A the "Total" amount from IRS National Standards for Food, Clothing and Other Items for the applicable number of persons. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) The applicable number of persons is the number that would currently be allowed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support.				\$		
National Standards: health care. Enter in Line a1 below the amount from IRS National Standards for Out-of-Pocket Health Care for persons under 65 years of age, and in Line a2 the IRS National Standards for Out-of-Pocket Health Care for persons 65 years of age or older. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) Enter in Line b1 the applicable number of persons who are under 65 years of age, and enter in Line b2 the applicable number of persons who are 65 years of age or older. (The applicable number of persons in each age category is the number in that category that would currently be allowed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support.) Multiply Line a1 by Line b1 to obtain a total amount for persons under 65, and enter the result in Line c1. Multiply Line a2 by Line b2 to obtain a total amount for persons 65 and older, and enter the result in Line c2. Add Lines c1 and c2 to obtain a total health care amount, and enter the result in Line 19B. Persons under 65 years of age Persons 65 years of age or older a1. Allowance per person b2. Number of persons c1. Subtotal Purport Allowance per person c2. Subtotal				\$		

20A	Local Standards: housing and utilities; non-mortgage expenses. Enter the amount of the IRS Housing and Utilities Standards; non-mortgage expenses for the applicable county and family size. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court). The applicable family size consists of the number that would currently be allowed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support.					
20B	Local Standards: housing and utilities; mortgage/rent expense. Enter, in Line a below, the amount of the IRS Housing and Utilities Standards; mortgage/rent expense for your county and family size (this information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court) (the applicable family size consists of the number that would currently be allowed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support); enter on Line b the total of the Average Monthly Payments for any					
	 a. IRS Housing and Utilities Standards; mortgage/rental expenses b. Average Monthly Payment for any debts secured by your home, if any, as stated in Line 42 c. Net mortgage/rental expense 	\$ \$ Subtract Line b from Line a.	\$			
21	Local Standards: housing and utilities; adjustment. If you content 20B does not accurately compute the allowance to which you are enti Standards, enter any additional amount to which you contend you are contention in the space below:	d that the process set out in Lines 20A and itled under the IRS Housing and Utilities	\$			
22A	Local Standards: transportation; vehicle operation/public transportation; you are entitled to an expense allowance in this category regardless a vehicle and regardless of whether you use public transportation. Check the number of vehicles for which you pay the operating expension included as a contribution to your household expenses in Line 8.	of whether you pay the expenses of operating				
	If you checked 0, enter on Line 22A the "Public Transportation" amo Transportation. If you checked 1 or 2 or more, enter on Line 22A the Standards: Transportation for the applicable number of vehicles in th Census Region. (These amounts are available at www.usdoj.gov/ust/	"Operating Costs" amount from IRS Local e applicable Metropolitan Statistical Area or	\$			
22B	Local Standards: transportation; additional public transportation expense. If you pay the operating expenses for a vehicle and also use public transportation, and you contend that you are entitled to an additional deduction for you public transportation expenses, enter on Line 22B the "Public Transportation" amount from IRS Local Standards: Transportation. (This amount is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.)					
23	Local Standards: transportation ownership/lease expense; Vehicle 1. Check the number of vehicles for which you claim an ownership/lease expense. (You may not claim an ownership/lease expense for more than two vehicles.) 1 2 or more. Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards: Transportation					
	 a. IRS Transportation Standards, Ownership Costs Average Monthly Payment for any debts secured by Vehicle b. 1, as stated in Line 42 c. Net ownership/lease expense for Vehicle 1 	\$ \$ Subtract Line b from Line a.	\$			
24	Local Standards: transportation ownership/lease expense; Vehic the "2 or more" Box in Line 23. Enter, in Line a below, the "Ownership Costs" for "One Car" from th (available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy Average Monthly Payments for any debts secured by Vehicle 2, as stand enter the result in Line 24. Do not enter an amount less than a like Transportation Standards, Ownership Costs Average Monthly Payment for any debts secured by Vehicle 2, as stated in Line 42	le 2. Complete this Line only if you checked the IRS Local Standards: Transportation court); enter in Line b the total of the tated in Line 42; subtract Line b from Line a tero. \$ \$				
	c. Net ownership/lease expense for Vehicle 2	Subtract Line b from Line a.	\$			

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	<u> </u>					
25	Other Necessary Expenses: taxes. Enter the total average monthly expense that you actually incur for all federal, state and local taxes, other than real estate and sales taxes, such as income taxes, self employment taxes, social security taxes, and Medicare taxes. Do not include real estate or sales taxes.					
26	Other Necessary Expenses: involuntary deductions for employment. Enter the total average monthly payroll deductions that are required for your employment, such as retirement contributions, union dues, and uniform costs. Do not include discretionary amounts, such as voluntary 401(k) contributions.					
27	Other Necessary Expenses: life insurance. Enter total averterm life insurance for yourself. Do not include premiums for for any other form of insurance.		\$			
28	Other Necessary Expenses: court-ordered payments. Ent- pay pursuant to the order of a court or administrative agency, include payments on past due obligations included in Line	such as spousal or child support payments. Do not	\$			
29	Other Necessary Expenses: education for employment or Enter the total average monthly amount that you actually expand for education that is required for a physically or mentally education providing similar services is available.	end for education that is a condition of employment	\$			
30	Other Necessary Expenses: childcare. Enter the total averachildcare - such as baby-sitting, day care, nursery and presche	age monthly amount that you actually expend on cool. Do not include other educational payments.	\$			
31	Other Necessary Expenses: health care. Enter the total average monthly amount that you actually expend on					
32	\$					
33	Total Expenses Allowed under IRS Standards. Enter the total of Lines 19 through 32.					
Subpart B: Additional Living Expense Deductions						
	Note: Do not include any expense	es that you have listed in Lines 19-32				
2.1	Health Insurance, Disability Insurance, and Health Savin in the categories set out in lines a-c below that are reasonably dependents.					
34	a. Health Insurance \$					
	b. Disability Insurance \$					
	c. Health Savings Account \$		\$			
	Total and enter on Line 34.					
35	Continued contributions to the care of household or family members. Enter the total average actual monthly expenses that you will continue to pay for the reasonable and necessary care and support of an elderly, chronically ill, or disabled member of your household or member of your immediate family who is unable to pay for such expenses.					
36	Protection against family violence. Enter the total average reasonably necessary monthly expenses that you actually incurred to maintain the safety of your family under the Family Violence Prevention and Services Act or other applicable federal law. The nature of these expenses is required to be kept confidential by the court.					
37	Home energy costs. Enter the total average monthly amount Standards for Housing and Utilities, that you actually expend case trustee with documentation of your actual expenses, amount claimed is reasonable and necessary.	for home energy costs. You must provide your	\$			

Case 13-21173 Doc 4 Document Page 6 of 7 B22A (Official Form 22A) (Chapter 7) (12/10) Education expenses for dependent children less than 18. Enter the total average monthly expenses that you actually incur, not to exceed \$147.92* per child, for attendance at a private or public elementary or secondary 38 school by your dependent children less than 18 years of age. You must provide your case trustee with documentation of your actual expenses, and you must explain why the amount claimed is reasonable and necessary and not already accounted for in the IRS Standards. Additional food and clothing expense. Enter the total average monthly amount by which your food and clothing expenses exceed the combined allowances for food and clothing (apparel and services) in the IRS National 39 Standards, not to exceed 5% of those combined allowances. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) You must demonstrate that the additional amount claimed is reasonable and necessary. \$ Continued charitable contributions. Enter the amount that you will continue to contribute in the form of cash 40 or financial instruments to a charitable organization as defined in 26 U.S.C. § 170(c)(1)-(2). 41 Total Additional Expense Deductions under § 707(b). Enter the total of Lines 34 through 40 **Subpart C: Deductions for Debt Payment** Future payments on secured claims. For each of your debts that is secured by an interest in property that you own, list the name of the creditor, identify the property securing the debt, and state the Average Monthly Payment, and check whether the payment includes taxes or insurance. The Average Monthly Payment is the total 42 of all amounts scheduled as contractually due to each Secured Creditor in the 60 months following the filing of the bankruptcy case, divided by 60. If necessary, list additional entries on a separate page. Enter the total of the Average Monthly Payments on Line 42. Name of Creditor Property Securing the Debt Average Monthly Does payment include taxes Payment or insurance? \$ □yes □no Total: Add Lines Other payments on secured claims. If any of debts listed in Line 42 are secured by your primary residence, a motor vehicle, or other property necessary for your support or the support of your dependents, you may include in your deduction 1/60th of any amount (the "cure amount") that you must pay the creditor in addition to the 43 payments listed in Line 42, in order to maintain possession of the property. The cure amount would include any sums in default that must be paid in order to avoid repossession or foreclosure. List and total any such amounts in the following chart. If necessary, list additional entries on a separate page. Name of Creditor Property Securing the Debt 1/60th of the Cure Amount Total: Add Lines Payments on prepetition priority claims. Enter the total amount, divided by 60, of all priority claims, such as 44 priority tax, child support and alimony claims, for which you were liable at the time of your bankruptcy filing. Do not include current obligations, such as those set out in Line 28. Chapter 13 administrative expenses. If you are eligible to file a case under Chapter 13, complete the following chart, multiply the amount in line a by the amount in line b, and enter the resulting administrative expense. Projected average monthly Chapter 13 plan payment. 45 Current multiplier for your district as determined under schedules issued by the Executive Office for United States Trustees. (This information is available at www.usdoj.gov/ust/ or from the clerk of

46 Total Deductions for Debt Payment. Enter the total of Lines 42 through 45.		\$	
	Subpart D: Total Deductions from Income		
47	Total of all deductions allowed under § 707(b)(2). Enter the total of Lines 33, 41, and 46.	\$	
Part VI. DETERMINATION OF § 707(b)(2) PRESUMPTION			
48	Enter the amount from Line 18 (Current monthly income for § 707(b)(2))	•	

Total: Multiply Lines a and b

Enter the amount from Line 47 (Total of all deductions allowed under § 707(b)(2))

Average monthly administrative expense of Chapter 13 case

49

the bankruptcy court.)

Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

50	Monthly disposable income under § 707(b)(2). Subtract Line 49 from Line 48 and enter the result.	\$				
51	60-month disposable income under § 707(b)(2). Multiply the amount in Line 50 by the number 60 and enter the result.	\$				
52	Initial presumption determination. Check the applicable box and proceed as directed. ☐ The amount on Line 51 is less than \$7,025*. Check the box for "The presumption does not arise" at the top of page 1 of this statement, and complete the verification in Part VIII. Do not complete the remainder of Part VI.					
53	Enter the amount of your total non-priority unsecured debt	\$				
54	Threshold debt payment amount. Multiply the amount in Line 53 by the number 0.25 and enter the result.	\$				
55	Secondary presumption determination. Check the applicable box and proceed as directed. The amount on Line 51 is less than the amount on Line 54. Check the box for "The presumption does not arise" at the top of page 1 of this statement, and complete the verification in Part VIII. The amount on Line 51 is equal to or greater than the amount on Line 54. Check the box for "The presumption arises" at the top of page 1 of this statement, and complete the verification in Part VIII. You may also complete Part VII.					
	Part VII. ADDITIONAL EXPENSE CLAIMS					
56	Other Expenses. List and describe any monthly expenses, not otherwise stated in this form, that are required for to of you and your family and that you contend should be an additional deduction from your current monthly income to 707(b)(2)(A)(ii)(I). If necessary, list additional sources on a separate page. All figures should reflect your average each item. Total the expenses. Expense Description	e monthly expense for				
Part VIII. VERIFICATION						
57	I declare under penalty of perjury that the information provided in this statement is true and correct. (If this is a joint case, both debtors must sign.)					

^{*} Amounts are subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.